

**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION**

**Patrick E Scarborough**

**Plaintiff**

**VS**

# John Lamanna

*Warden of FCI Edgefield*  
**et al;**

## Defendants

**C/A: 4:05-cv-01862-CWH-TER**

## ORDER

**This matter is before the court because of plaintiff's failure to comply with the magistrate judge's order of July 1, 2005.**

A review of the record indicates that the magistrate judge ordered the plaintiff to submit items needed to render this case into proper form within twenty (20) days, and that if he failed to do so, this case would be dismissed. The plaintiff has failed to do so.

**Accordingly, the above-captioned case is dismissed *without prejudice*. The Clerk shall close the file.\***

**IT IS SO ORDERED.**

C. Weston Houch

**C. Weston Houck**  
**United States District Judge**

**Charleston, S. C.**  
**July 29, 2005**

**\*Under the General Order filed on June 4, 1997, this dismissal *without prejudice* does *not* count as a “strike” for purposes of the “three strikes” provision of 28 U.S.C. Section 1915(g). If the plaintiff wishes to bring this action in the future, he should obtain new forms for doing so from the Clerk’s office in Columbia (901 Richland Street, Columbia, South Carolina 29201).**